

Are You Registered?

The UST Program is reminding consulting firms to comply with the statutes and rules that relate to technical registration in the State of Arizona. Disciplinary actions taken by the Board of Technical Registration (Board) for non-compliance can include restitutions, reprimands, administrative or civil penalties, suspensions, and license revocation. Certain violations are also classified as Class 2 misdemeanors. In addition, the ADEQ may not be able to accept reports if they are not prepared by registered professionals qualified to perform the work. This may also result in non-compliance for the owners and operators of specific UST sites where the work has been performed. The following selected excerpts are from Arizona Revised Statutes (A.R.S.) relating to the Board. If you have questions about technical registration, you may contact the Board at 602-255-4053, or visit their web site at <http://www.btr.state.az.us>. The site provides a listing of statutes and rules, as well as disciplinary actions taken by the Board.

Excerpts from Arizona Revised Statutes relating to the Board of Technical Registration

A.R.S. § 32-121. Certificate required for practice of architecture, assaying, engineering, geology, landscape architecture, or land surveying. A person desiring to practice the profession of architecture, assaying, engineering, geology, landscape architecture, or land surveying shall first secure a certificate of registration and shall comply with all the conditions prescribed in this chapter.

A.R.S. § 32-141. Firm or corporate practice

A. No firm or corporation shall engage in the practice of architecture, assaying, geology, engineering, landscape architecture or land surveying unless the work is under the full authority and responsible charge of a registrant, who is also a principal of the firm or officer of the corporation.

B. Firms or corporations shall identify responsible registrants. Each firm and corporation shall file with the board on a form prescribed by the board a list of responsible principals or officers, their registration certificate numbers and a description of the services the firm or corporation is offering to the public. The board shall be notified in writing on the prescribed form within thirty days of any change occurring in the registered principals or registered corporate officers or any change in the firm's or corporation's name or address.

A.R.S. § 32-143. Exceptions

A registrant under this chapter may engage in practice in another category regulated pursuant to this chapter only to the extent that the person is qualified and to the extent that the work may be necessary and incidental to the work of the registrant's profession on a specific project. This exception does not apply to public works projects.

A.R.S. § 32-144. Exemptions and limitations

1. Architecture, engineering, geology, assaying, landscape architecture or land surveying may be practiced without compliance with the requirements of this chapter by:
2. An employee of a registrant or of a person exempt from registration, if such employment does not involve direct responsibility for design, inspection or supervision.

A.R.S. § 32-145. Violations; classification

Any person who commits any of the following acts is guilty of a class 2 misdemeanor:

1. Practices, offers to practice or by any implication holds himself out as qualified to practice architecture, assaying, engineering, geology, landscape architecture or land surveying who is not registered as provided by this chapter.
2. Advertises or displays any card, sign or other device that may indicate to the public that the person is a registered professional architect, assayer, engineer, geologist, landscape architect or land surveyor, or is qualified to practice as such, who is not registered as provided by this chapter.
3. Assumes the title of "Professional", "Registered", "Registered Professional" or "Professional Registered" engineer, architect, geologist, assayer, landscape architect, or land surveyor, who is not registered as provided by this chapter.
4. Uses a certificate of registration of another, or uses an expired or revoked certificate of registration.
5. Presents false evidence to the board with the intent to obtain a certificate of registration.
6. Otherwise violates any provision of this chapter.